

**REMARKS**

**Summary of the Office Action**

Claims 9, 23, and 51-54 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Claim 15 stands rejected under 35 U.S.C. § 102(b) as being anticipated over *Yamazaki et al.* (USPN 6,004,831).

Claims 1-5, 13-14, 16-17, 33-36, 38, and 51-54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamazaki et al.* (USPN 6,004,831) in view of *Umezaki et al.* (USPN 4,288,283).

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamazaki et al.* (USPN 6,004,831) in view of *Umezaki et al.* (USPN 4,288,283), and further in view of *Suguro* (US Pub. No. 2001/0033023).

Claims 18-22, 24, 28-32, 40-50, and 55 stand allowed.

**Summary of the Response to the Office Action**

Applicants have amended claims 1, 9, 15, 23, and 51. Accordingly, claims 1-55 are presently pending with claims 1-5, 9, 13-24, 28-36, 38, and 40-55 being under consideration.

**The Rejections under 35 U.S.C. §§ 112, Second Paragraph**

Claims 9, 23, and 51-54 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicants respectfully submit that the informalities noted by the Office Action do not rise to the level of indefiniteness. However, Applicants have amended claims 9, 23, and 51 in accordance with the comments of the Office Action. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be

withdrawn. Applicants respectfully submit that these amendments to claims 9, 23, and 51 do not narrow the intended scope of the claims.

**The Rejections under 35 U.S.C. §§ 102(b) and 103(a)**

Claim 15 stands rejected under 35 U.S.C. § 102(b) as being anticipated over *Yamazaki et al.* (USPN 6,004,831). Claims 1-5, 13-14, 16-17, 33-36, 38, and 51-54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamazaki et al.* in view of *Umezaki et al.* (USPN 4,288,283). Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamazaki et al.* in view of *Umezaki et al.*, and further in view of *Suguro* (US Pub. No. 2001/0033023). Applicants respectfully traverse the rejections for at least the following reasons.

With respect to independent claim 1, as amended or as originally presented, Applicants respectfully assert that the applied art, whether taken singly or combined, do not teach or suggest a method including etching a Ti layer, having Ti metal portions and TiOx portions, to remove remaining Ti metal portions of the Ti layer to form a TiOx pattern. First, it does not appear that the Office Action addresses this step. Second, Applicants respectfully submit that the method of *Yamazaki et al.* uses the metal oxide to surround remaining non-oxide metal portion, thereby forming an insulating coating on the surface of the non-oxide metal. (See abstract and column 7, lines 55-67, of *Yamazaki et al.*) Thus, Applicants respectfully submit that the non-oxide metal portions of *Yamazaki et al.* remain and are not etched as recited by independent claim 1.

Applicants respectfully submit that the Office Action does not rely on the other applied references (*Umezaki et al.* and *Suguro*) to disclose this feature. Moreover, Applicants respectfully submit that *Umezaki et al.* and *Suguro* cannot remedy this deficiency. Thus,

Applicants respectfully submit that independent claim 1, as amended or as originally presented, is allowable and that the rejection of claim 1 should be withdrawn.

Applicants respectfully submit that independent claims 15, 33 and 51, as amended or as originally presented, are allowable for reasons similar to those presented above with respect to independent claim 1. Further, Applicants respectfully submit that dependent claims 2-5, 13-14, 16-17, 34-36, 38, and 52-54 are allowable at least because of their respective dependencies from independent claims 1, 15, 33, and 51 and the reasons set forth above.

**Rejoinder**

Applicants respectfully request rejoinder of withdrawn dependent claims 6-8, 10-12, and 25-27 upon allowance of the respective independent claims from which they depend.

**Conclusion**

Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under

37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: April 19, 2006

By: \_\_\_\_\_



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